

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT COURT OF ALABAMA

2008 APR 18 A 9:45

Tobie Melissa Kirkland  
Petitioner

LESLIE P. HACKETT, CLERK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

Case Number: CR-0264-MHT  
Civil Action Number: 2:07-CV-759 MHT

v.

United States

RESPONSE TO ORDER ON MOTION FOR  
EXTENTION OF TIME ON A MOTION 2255

Upon consideration of the Motion for extention of time United States Magistrate Judge Terry F. Moorer request, petitioner, to show cause why her 28 § 2255 Motion should not be dismissed. It was not filed on time within the one year limitation period because of the following;

From May 21, 2007 until June 2007, petitioner, Kirkland was in custody of U.S. Marshals in transit. Prior to said dates from April 18 2006 to May 21, 2007, Kirkland was in custody of the State of Alabama Department of Corrections. There was not sufficient information concerning the Federal law in ASP law library. Furthermore, Kirkland was not aware of computation data until arrival at F.C.I. Tallahassee, Florida, June 2007. Therefore, Kirkland bared the burden of antispipation in requesting that the courts have mercy on her behalf. Kirkland had no idea of the status of her sentence while in state custody. Resting solely on the performance of her attorney, Kirkland was under the impression that her federal sentence had been ran concurrent, per Mr. Kevin Butler.

Therefore, Kirkland request that the courts grant her ample enough time to rebuttal the Government's Opposition to Motion to Correct Set Aside or Vacate Sentence.

EQUITABLE TOLLING

The standard for equitable tolling is a high one: A petitioner must establish "extraordinary circumstances that are both beyond his control and unavoidable even with due diligence". U.S. vs Sandvik, 177 F3d 1271. See also Justice vs U.S. 6 F3d 1474, 1479, (11th Cir. 1993). (tolling when an "inequitable event that prevented plaintiff's timely action" has occurred)

Rather, equitable tolling is "reserved for those are instances where due circumstances external to the party's own conduct it would be unconscionable to enforce the limit period... and gross injustice would result. "Harris vs Hutchinson, 209 F3d 330 (4th Cir. 2000). See also Davis vs Johnson, 158 F3d 811 Calderon vs U.S. District Court (Beeler) 128 F3d 1288 (9th Cir. 1997) (extraordinary circumstances beyond a prisoner's control make it impossible to file a petition on time.)

The judicial policy underlying this standard balances "Congress" desire to accelerate the federal habeas corpus process, Beeler vs U.S., 128 Fd at 1289. With realization that courts "must be cautious not to apply a statute of limitations too harshly" Fisher vs Johnson, 174 F3d 713 (5th Cir. 1999)

Dismissal of a first habeas corpus petition is particularly serious matter, for that dismissal denies the petitioner the protection of the Great Writ entirely, risking injury to an important interest in human liberty". Lonchar vs Thomas 517 U.S. 314, (1996) 1342Ed2d.440, 116 S.Ct. 1293

Equitable tolling does not lend itself to bright - line rules" (Fisher vs Johnsons, 174 F3d at 713 but there are various factors a court will examine in determining whether to equitably toll a statute of limitations.

First, the party seeking tolling must have exercise due diligence during the limitations period, and in particular in attempting to overcome the impediment of timely filing.

Second, a court will examine the degree to which, if any, representations, actions, or omissions by a third party (including courts, counsel, and presondents) caused or contributed to the delay. Vaverde vs Stinson, 224 F3d 129 (2nd Cir. 2000)

Third, a peitioner must allege specific particularized facts to establish legitimate basis for equitable tolling. Dennis vs Woodford, 65 F. Supp2d 1093 1097 (N.D. Cal 1999).

Fourth, and relatedly, a court will also examine the degree to which timely filing could have occurred in the face of the impediment.

Equitable tolling requires the peitioner to demonstrate a casual relationship between the extraordinary circumstances on which the claim of equitable tolling rests and the lateness of his filing., a demostration that cannot be made if petitioner acting with reasonable diligence, could have filed on time notwithstanding the extraordinary circumstances. Valverde, supra at 134. See also Felder vs Johnson, 204 F3d 168, 171-173 (5th Cir. 2000) (complete denial of access to AEDPA for a period greater than 12 months is rare and exceptional circumstance).

In this case at hand, Kirkland , was arrested on April 18, 2006, by Montgomery County Sheriff's Department for possession of a forged instrument and theft of property. Kirkland remained in custody at the Montgomery County Detention Center from April 18, 2006 until approximately June 2006. United States Marshal's picked Kirkland up on a writ and Kirkland was transferred to Autauga County Metro Jail - Federal Holding Facility. Kirkland was held in Autauga County Metro Jail until court appearance on July 26, 2006. On July 26, 2006, the Honorable Myron Thompson sentenced Kirkland to 24 months term of imprisonment with the Federal Bureau of Prisons. Kirkland plead originally plead not-guilty to the pending state charges

because Kirkland was in state custody but on 'writ' to Federal Marshals. The court was aware of Kirkland's pending state charges. (see Sentencing Court transcript) (July 26, 2006). Kirkland was then returned to the custody of the Montgomery County Detention Center. Kirkland, while in custody of Montgomery County was transferred to Clay County Jail for housing due to 'overcrowding'. While Kirkland was in custody at Clay County Jail, Kirkland was not able to have access to a legal library. This holding facility was a privately owned detention center used to house inmates for Montgomery County and other surrounding areas. On October 12, 2006, Kirkland was transferred back to Montgomery County Detention Center for court appearance. Kirkland was sentenced to 5 years with the State of Alabama Department of Corrections to run concurrent with her federal sentence imposed. Kirkland was then transferred to Julia Tutwiler Prison for Women. (Exhibit A) On or about January 2007, Kirkland was transferred to J.B. Evans Correctional Center, due to overcrowding at Julia Tutwiler Prison. (Exhibit B) J.B. Evans Correctional Center also did not have a legal library available to inmates. Kirkland remained in Newellton, LA at J.B. Evans Correctional Center until Kirkland was granted parole May, 2007. Kirkland was then picked up by U.S. Marshal's and remained in transit until Kirkland reached F.C.I. - Tallahassee, Florida, her designation.

Kirkland was not in a stable detention and was transporting "in transit" until June, 2007. (Exhibit C) On August 21, 2007, Kirkland filed a 28 USC § 2255 Petition.

**CERTIFICATE OF SERVICE**

I hereby certify that I have served a copy of the foregoing on the ~~Honorable Judge~~  
~~Myron Thompson~~ by mailing to:

Response to Kevin Butler  
Rebuttal to Motion 2255  
Extension to Motion 2255

Office of the Clerk  
United States District Court  
One Church Street  
Montgomery, Alabama 36104

13<sup>th</sup> day of April, 2008

Respectfully Submitted,

  
Tobie M. Kirkland

**CERTIFICATE OF SERVICE**

I hereby certify that I have served a copy of the foregoing on the by mailing to:

Response to Kevin Butler  
Rebuttal to Motion. 2255  
Extension to Motion

Done this ~~3<sup>rd</sup>~~ Day of April, 2008.

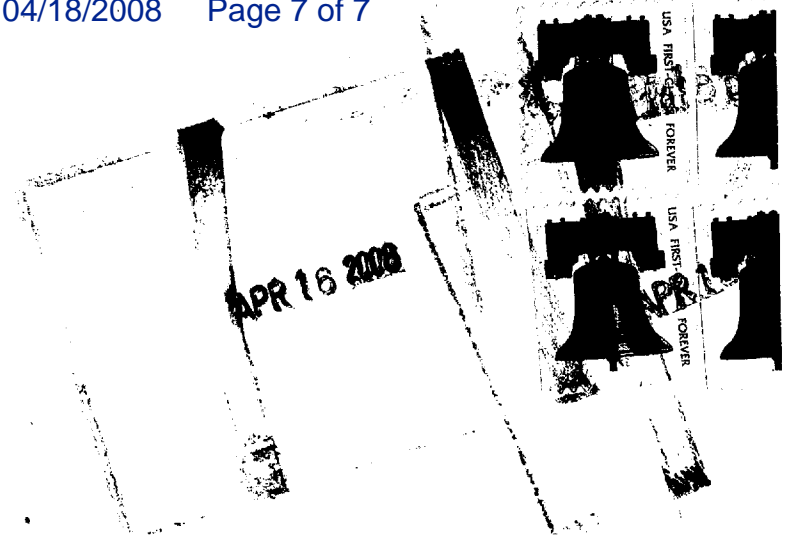
to:

Laura Canary  
Asst. U.S. Attorney

Respectfully Submitted,

  
Tobie M. Kirkland

Jolie  
Federal  
501 Capital Circle  
Tallahassee, Fl. 32301



Office of the Court Cle  
U.S. District Court  
One Church Street  
P.O. Box 711  
Montgomery, Al. 36101-0

ALABAMA DEPARTMENT OF CORRECTIONS  
INMATE SUMMARY AS OF 11/29/2006INMATE: 000  
COUNT: 01300

C8R716-3

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AIS: 00248984 INMATE: KIRKLAND, TOBIE MELISSA RACE: A SEX: F

INST: 006 - TUIWILER PRISON DORM: 00 JAIL CR: 000Y 00M 00D

DOB: 08/31/1975 SSN: 420-27-5686

ALIAS: HORTON, TRACY R

ALIAS: RUSH, TOBIE M

ALIAS: RUSH, TOBIE MELISSA

ALIAS: TOBIE, MELISSA

ADM DT: 08/28/2006 DEAD TIME: 000Y 00M 00D

ADM TYP: NEW COMIT FROM CRT W/REV OF PR STAT: NEW COMIT FROM CRT W/O REV OF

CURRENT CUST: QUR-3 CURRENT CUST DT: 10/30/2006 PAROLE REVIEW DATE: - NONE -

SECURITY LEVEL: NO CLASSIFICATION RECORD FOUND

SERVING UNDER ACT446 LAW IN CLASS II CURRENT CLASS DATE: 10/12/2006

INMATE IS EARNING : EARNS 40 DAYS FOR EACH 30 SERVED

COUNTY	SENT DT	CASE NO	CRIME	JL-CR	TERM
MONTGOMERY	03/28/06	005000931	THEFT OF PROPERTY I	01810	005Y 00M 00D CC
		ATTORNEY FEES :	\$000150	HABITUAL OFFENDER :	N
		COURT COSTS :	\$0000187	FINES :	\$0000000
				RESTITUTION :	\$0005082
MONTGOMERY	10/12/06	005001093	CRIM POSS FORGED INSTR II	01780	005Y 00M 00D CC
			CTS 1 & 2		
		ATTORNEY FEES :	\$000150	HABITUAL OFFENDER :	N
		COURT COSTS :	\$0000263	FINES :	\$0000000
				RESTITUTION :	\$0000000
MONTGOMERY	10/12/06	005001093	THEFT OF PROPERTY I	01780	005Y 00M 00D CC
			CT 3		

TOTAL TERM	MIN REL DT	GOOD TIME BAL	GOOD TIME REV	LONG DATE
005Y 00M 00D	03/25/2008	000Y 02M 03D	000Y 00M 00D	04/15/2011

INMATE LITERAL:

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## DETAINDER WARRANTS SUMMARY

>DET WRT 11/22/2006 TYPE FEDERAL WARRANT	UNITED STATES MARSHAL SERVICE
LITERAL: 24MOS	SEQ #: 01 CASE #: CR05204MHT
OFFENSE: 000 - UNKNOWN	

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## ESCAPEE-PAROLE SUMMARY

INMATE CURRENTLY HAS NO PAROLE RECORDS

INMATE CURRENTLY HAS NO PROBATION /54 RECORDS

Exhibit A

CONTINUED ON NEXT PAGE



ALABAMA DEPARTMENT OF CORRECTIONS  
INMATE SUMMARY AS OF 11/22/2006INST: 006  
CODE: CDWRQ

C08716-3

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AIS: 00248984 INMATE: KIRKLAND, TOBIE MELISSA RACE: B SEX: F  
 INST: 006 - TUTWILER PRISON DORM: 00 JAIL CR: 000Y 05M 20D  
 DOB: 08/31/1975 SSN: 420-27-5686

ALIAS: HORTON, TRACY R ALIAS: RUSH, TOBIE M  
 ALIAS: RUSH, TOBIE MELISSA ALIAS: TOBIE, MELISSA

ADM DT: 08/28/2006 DEAD TIME: 000Y 00M 00D

ADM TYP: NEW COMIT FROM CRT W/REV OF PR STAT: NEW COMIT FROM CRT W/O REV OF

CURRENT CUST: QUR-3 CURRENT CUST DT: 10/30/2006 PAROLE REVIEW DATE: - NONE -

SECURITY LEVEL: NO CLASSIFICATION RECORD FOUND

SERVING UNDER ACT446 LAW IN CLASS II CURRENT CLASS DATE: 10/12/2006  
 INMATE IS EARNING : EARNS 40 DAYS FOR EACH 30 SERVED

COUNTY	SENT DT	CASE NO	CRIME	JL-CR	TERM
MONTGOMERY	08/28/06	N05000931	THEFT OF PROPERTY I	0181D	005Y 00M 00D CS
	ATTORNEY FEES : \$000150		HABITUAL OFFENDER : N		
	COURT COSTS : \$0000187		FINES : \$0000000		RESTITUTION : \$0005082
MONTGOMERY	10/12/06	N06001093	CRIM POSS FORGED INSTR II	0178D	005Y 00M 00D CC
	CTS 1 & 2				
	ATTORNEY FEES : \$000150		HABITUAL OFFENDER : N		
	COURT COSTS : \$0000263		FINES : \$0000000		RESTITUTION : \$0000050
MONTGOMERY	10/12/06	N06001093	THEFT OF PROPERTY I	0178D	005Y 00M 00D CC
	CT 3				
	ATTORNEY FEES : \$000150		HABITUAL OFFENDER : N		
	COURT COSTS : \$0000263		FINES : \$0000000		RESTITUTION : \$0000050

TOTAL TERM	MIN REL DT	GOOD TIME BAL	GOOD TIME REV	LONG DATE
005Y 00M 00D	03/25/2008	000Y 01M 23D	000Y 00M 00D	04/13/2011

INMATE LITERAL:

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## DETAINDER WARRANTS SUMMARY

&gt;DET WRT 11/22/2006 TYPE FEDERAL WARRANT

UNITED STATES MARSHAL SERVICE

LITERAL: 24MDS

SEQ #: 01

CASE #: CRO3264MHT

OFFENSE: 000 - UNKNOWN

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## ESCAPEE-PAROLE SUMMARY

INMATE CURRENTLY HAS NO PAROLE RECORDS

Exhibit A

CONTINUED ON NEXT PAGE

CBR716-3

ALABAMA DEPARTMENT OF CORRECTIONS  
INMATE SUMMARY AS OF 11/14/2006INST: 006  
CODE: CRSUM

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AIS: 00248984 INMATE: KIRKLAND, TOBIE MELISSA RACE: B SEX: F  
 INST: 006 - TUTWILER PRISON DORM: 00 JAIL CR: 000Y 05M 28D  
 DOB: [REDACTED] SSN: [REDACTED]

ALIAS: HORTON, TRACY R ALIAS: RUSH, TOBIE M  
 ALIAS: RUSH, TOBIE MELISSA ALIAS: TOBIE, MELISSA

ADM DT: 08/28/2006 DEAD TIME: 000Y 00M 00D

ADM TYP: NEW COMIT FROM CRT W/REV OF PR STAT: NEW COMIT FROM CRT W/O REV OF

CURRENT CUST: QUR-3 CURRENT CUST DT: 10/30/2006 PAROLE REVIEW DATE: - NONE -

SECURITY LEVEL: NO CLASSIFICATION RECORD FOUND

SERVING UNDER ACT446 LAW IN CLASS II CURRENT CLASS DATE: 10/12/2006  
 INMATE IS EARNING: EARNS 40 DAYS FOR EACH 30 SERVED

COUNTY	SENT DT	CASE NO	CRIME	JL-CR	TERM
MONTGOMERY	08/28/06	N05000931	THEFT OF PROPERTY I	0181D	005Y 00M 00D CS
	ATTORNEY FEES : \$000150		HABITUAL OFFENDER : N		
	COURT COSTS : \$0000187		FINES : \$0000000		RESTITUTION : \$0005082
MONTGOMERY	10/12/06	N05001093	CRIM POSS FORGED INSTR II	0178D	005Y 00M 00D CC
			CTS 1 & 2		
	ATTORNEY FEES : \$000150		HABITUAL OFFENDER : N		
	COURT COSTS : \$0000263		FINES : \$0000000		RESTITUTION : \$0000050
MONTGOMERY	10/12/06	N05001093	THEFT OF PROPERTY I	0178D	005Y 00M 00D CC
			CT 3		
	ATTORNEY FEES : \$000150		HABITUAL OFFENDER : N		
	COURT COSTS : \$0000263		FINES : \$0000000		RESTITUTION : \$0000050

TOTAL TERM	MIN REL DT	GOOD TIME BAL	GOOD TIME REV	LONG DATE
005Y 00M 00D	03/25/2008	000Y 01M 13D	000Y 00M 00D	04/13/2011

## INMATE LITERAL:

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## DETAINDER WARRANTS SUMMARY:

INMATE CURRENTLY HAS NO DETAINDER WARRANT RECORDS

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## ESCAPEE-PAROLE SUMMARY:

INMATE CURRENTLY HAS NO PAROLE RECORDS

INMATE CURRENTLY HAS NO PROBATION 754 RECORDS

Exhibit A

CONTINUED ON NEXT PAGE

ALABAMA DEPARTMENT OF CORRECTIONS  
INMATE SUMMARY AS OF 10/06/2006INST: 251  
CODE: CIA9M

CBR716-3

26  
86012

\*\*\*\*\*Rush\*\*\*\*\*

AIS: 00248984 INMATE: KIRKLAND, TOBIE MELISSA RACE: B SEX: F

INST: 251 - MONTGOMERY DORM: 00 JAIL CR: 000Y 06M 010

DOB: [REDACTED] [REDACTED] [REDACTED]

ALIAS: RUSH, TOBIE M

ADM DT: 08/28/2006 DEAD TIME: 000Y 00M 000

ADM TYP: NEW COMIT FROM CRT W/REV OF PR STAT: NEW COMIT FROM CRT W/REV OF PR

CURRENT CUST: DTW-3 CURRENT CUST DT: 08/28/2006 PAROLE REVIEW DATE: - NONE -

SECURITY LEVEL: NO CLASSIFICATION RECORD FOUND

SERVING UNDER ACT446 LAW IN CLASS II CURRENT CLASS DATE: 08/28/2006  
INMATE IS EARNING : EARNS 40 DAYS FOR EACH 30 SERVED

COUNTY	SENT DT	CASE NO	CRIME	JL-CR	TERM
MONTGOMERY	08/28/06	N05000931	THEFT OF PROPERTY I	01810	005Y 00M 000 CS
ATTORNEY FEES : \$000150			HABITUAL OFFENDER : N		
COURT COSTS : \$0000187			FINES : \$0000000 RESTITUTION : \$0005082		

TOTAL TERM	MIN REL DT	GOOD TIME BAL	GOOD TIME REV	LONG DATE
005Y 00M 000	01/20/2008	000Y 01M 21D	000Y 00M 000	02/26/2011

INMATE LITERAL:

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## DETAINDER WARRANTS SUMMARY

INMATE CURRENTLY HAS NO DETAINDER WARRANT RECORDS

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## ESCAPEE-PAROLE SUMMARY

INMATE CURRENTLY HAS NO PAROLE RECORDS

INMATE CURRENTLY HAS NO PROBATION 754 RECORDS

INMATE HAS NO ESCAPES FROM ADOC SINCE OBSCIS RECORDING B

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## DISCIPLINARY/CITATION SUMMARY

INMATE CURRENTLY HAS NO DISCIPLINARY/CITATION RECORDS

Exhibit A

CBR716-3

ALABAMA DEPARTMENT OF CORRECTIONS  
INMATE SUMMARY AS OF 04/13/2007INST:  
CODE: CM

AIS: 00248984 INMATE: KIRKLAND, TOBIE MELISSA RACE: B SEX: F  
 INST: J56 - JB EVANS COR FAC NEWELLTON, LA UORM: 00 JAIL CR: 000Y 05M 28D  
 DOB: 08/31/1975 SSN: 420-27-5686

ALIAS: HORTON, TRACY R ALIAS: RUSH, TOBIE M

ALIAS: RUSH, TOBIE MELISSA ALIAS: TOBIE, MELISSA

ADM DT: 08/28/2006 DEAD TIME: 000Y 00M 00D

ADM TYP: NEW COMIT FROM CRT W/REV OF PR STAT: NEW COMIT FROM CRT W/O REV OF

CURRENT CUST: MED-2 CURRENT CUST DT: 12/11/2006 PAROLE REVIEW DATE: - NONE -

SECURITY LEVEL: (4) FOUR

SERVING UNDER ACT446 LAW IN CLASS I CURRENT CLASS DATE: 04/12/2007  
 INMATE IS EARNING : EARNS 75 DAYS FOR EACH 30 SERVED

COUNTY	SENT DT	CASE NO	CRIME	JL-CR	TERM
MONTGOMERY	08/28/06	N05000931	THEFT OF PROPERTY I	0181D	005Y 00M 00D CS
		ATTORNEY FEES : \$000150	HABITUAL OFFENDER : N		
		COURT COSTS : \$0000187	FINES : \$0000000	RESTITUTION : \$0005082	
MONTGOMERY	10/12/06	N06001093	CRIM POSS FORGED INSTR II	0178D	005Y 00M 00D CC
		CTS 1 & 2			
		ATTORNEY FEES : \$000150	HABITUAL OFFENDER : N		
		COURT COSTS : \$0000263	FINES : \$0000000	RESTITUTION : \$0000050	
MONTGOMERY	10/12/06	N06001093	THEFT OF PROPERTY I	0178D	005Y 00M 00D CC
		CT 3			

TOTAL TERM	MIN REL DT	GOOD TIME BAL	GOOD TIME REV	LONG DATE
005Y 00M 00D	03/25/2008	000Y 08M 03D	000Y 00M 00D	04/13/2011

INMATE LITERAL:

### DETAINDER WARRANTS SUMMARY

>DET WRT 11/22/2006 TYPE FEDERAL WARRANT  
 LITERAL: 24MOS  
 OFFENSE: 000 - UNKNOWN

UNITED STATES MARSHAL SERVICE  
 SEQ #: 01 CASE #: CR03264MHT

### ESCAPEE-PAROLE SUMMARY

INMATE CURRENTLY HAS NO PAROLE RECORDS

INMATE CURRENTLY HAS NO PROBATION 754 RECORDS

Exhibit B

CONTINUED ON NEXT PAGE

CBR716-3

ALABAMA DEPARTMENT OF CORRECTIONS  
INMATE SUMMARY AS OF 04/02/2007INST: 356  
CODE: CRSUM

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AIS: 00248984 INMATE: KIRKLAND, TOBIE MELISSA RACE: B SEX: F

(INST: 356 - JB EVANS COR FAC NEWELLTON, LA DORM: 00 JAIL CR: 000Y 05M 28D

DOB: 08/31/1975 SSN: 420-27-5686

ALIAS: HORTON, TRACY R

ALIAS: RUSH, TOBIE M

ALIAS: RJSH, TOBIE MELISSA

ALIAS: TOBIE, MELISSA

ADM DT: 08/28/2006 DEAD TIME: 000Y 00M 00D

ADM TYP: NEW COMIT FROM CRT W/REV OF PR STAT: NEW COMIT FROM CRT W/O REV OF

CURRENT CUST: MED-3 CURRENT CUST DT: 12/11/2006 PAROLE REVIEW DATE: - NONE -

SECURITY LEVEL: (4) FOUR

SERVING UNDER ACT446 LAW IN CLASS II CURRENT CLASS DATE: 10/12/2006  
INMATE IS EARNING : EARNS 40 DAYS FOR EACH 30 SERVED

COUNTY	SENT DT	CASE NO	CRIME	JL-CR	TERM
MONTGOMERY	08/28/06	N05000931	THEFT OF PROPERTY I	0181D	005Y 00M 00D CS
	ATTORNEY FEES : \$000150		HABITUAL OFFENDER : N		
	COURT COSTS : \$0000187		FINES : \$0000000		RESTITUTION : \$0005082
MONTGOMERY	10/12/06	N06001093	CRIM POSS FORGED INSTR II	0178D	005Y 00M 00D CC
			CTS 1 & 2		
	ATTORNEY FEES : \$000150		HABITUAL OFFENDER : N		
	COURT COSTS : \$0000263		FINES : \$0000000		RESTITUTION : \$0000050
MONTGOMERY	10/12/06	N06001093	THEFT OF PROPERTY I	0178D	005Y 00M 00D CC
			CT 3		

TOTAL TERM	MIN REL DT	GOOD TIME BAL	GOOD TIME REV	LONG DATE
005Y 00M 00D	03/25/2008	000Y 07M 17D	000Y 00M 00D	04/13/2011

INMATE LITERAL:

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## DETAINDER WARRANTS SUMMARY

>DET WRT 11/22/2006 TYPE FEDERAL WARRANT  
LITERAL: 24MDS  
OFFENSE: 000 - UNKNOWNUNITED STATES MARSHAL SERVICE  
SEQ #: 01 CASE #: CR03264MHT

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## ESCAPEE-PARDIE SUMMARY

INMATE CURRENTLY HAS NO PAROLE RECORDS

INMATE CURRENTLY HAS NO PROBATION 754 RECORDS

Exhibit B

CONTINUED ON NEXT PAGE

TALA1  
PAGE 001

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PUBLIC INFORMATION  
INMATE DATA  
AS OF 04-10-2008

\*  
\*

04-10-2008  
11:50:48

REGNO...: 11338-002 NAME: KIRKLAND, TOBIE MELISSA

RESP OF: TAL

PHONE...: 850-878-2173

FAX: 850-671-6105

RACE/SEX...: BLACK / FEMALE

AGE: 33

PROJ REL MT: GOOD CONDUCT TIME RELEASE

PAR ELIG DT: N/A

PROJ REL DT: 02-14-2009

PAR HEAR DT:

----- ADMIT/RELEASE HISTORY -----

FCL	ASSIGNMENT	DESCRIPTION	START DATE/TIME	STOP DATE/TIME
TAL	A-DES	DESIGNATED, AT ASSIGNED FACIL	06-26-2007 1807	CURRENT
A01	RELEASE	RELEASED FROM IN-TRANSIT FACL	06-26-2007 1807	06-26-2007 1807
A01	A-ADMIT	ADMITTED TO AN IN-TRANSIT FACL	06-26-2007 1030	06-26-2007 1807
OKL	HLD REMOVE	HOLDOVER REMOVED	06-26-2007 0930	06-26-2007 0930
OKL	A-HLD	HOLDOVER, TEMPORARILY HOUSED	06-25-2007 1830	06-26-2007 0930
9-L	RELEASE	RELEASED FROM IN-TRANSIT FACL	06-25-2007 1930	06-25-2007 1930
9-L	A-ADMIT	ADMITTED TO AN IN-TRANSIT FACL	05-30-2007 1036	06-25-2007 1930
DSC	ADMIN REL	ADMINISTRATIVE RELEASE	05-30-2007 0936	05-30-2007 0936
DSC	A-ADMIN	ADMINISTRATIVE ADMISSION	05-30-2007 0927	05-30-2007 0936
CMY	SUPV REL	SUPERVISED RELEASE CCC REMOVED	12-25-2005 1800	05-30-2007 0927
CMY	A-COM CON	COMMUNITY CONFINEMENT CASE	12-23-2005 1800	12-25-2005 1800
CMY	WK/OVRNT	WEEKENDER/OVERNIGHTER REMOVED	12-18-2005 1800	12-23-2005 1800
CMY	A-COM CON	COMMUNITY CONFINEMENT CASE	12-16-2005 1800	12-18-2005 1800
CMY	WK/OVRNT	WEEKENDER/OVERNIGHTER REMOVED	12-11-2005 1800	12-16-2005 1800
CMY	A-COM CON	COMMUNITY CONFINEMENT CASE	12-09-2005 1800	12-11-2005 1800
CMY	WK/OVRNT	WEEKENDER/OVERNIGHTER REMOVED	12-04-2005 1800	12-09-2005 1800
CMY	A-COM CON	COMMUNITY CONFINEMENT CASE	12-02-2005 1800	12-04-2005 1800
1-Q	RELEASE	RELEASED FROM IN-TRANSIT FACL	12-02-2005 1900	12-02-2005 1900
1-Q	A-ADMIT	ADMITTED TO AN IN-TRANSIT FACL	11-28-2005 1500	12-02-2005 1900
CMY	ADMIN REL	ADMINISTRATIVE RELEASE	11-28-2005 1400	11-28-2005 1400
CMY	A-ADMIN	ADMINISTRATIVE ADMISSION	11-28-2005 0912	11-28-2005 1400

G0002

MORE PAGES TO FOLLOW . . .

Exhibit C



TALA1 \* PUBLIC INFORMATION \* 04-10-2008  
 PAGE 002 \* INMATE DATA \* 11:50:48  
 AS OF 04-10-2008

REGNO...: 11338-002 NAME: KIRKLAND, TOBIE MELISSA

RESP OF: TAL / DESIGNATED, AT ASSIGNED FACIL  
 PHONE...: 850-878-2173 FAX: 850-671-6105  
 PRE-RELEASE PREPARATION DATE: 12-14-2008

THE FOLLOWING SENTENCE DATA IS FOR THE INMATE'S CURRENT COMMITMENT.  
 THE INMATE IS PROJECTED FOR RELEASE: 02-14-2009 VIA GCT REL

-----CURRENT JUDGMENT/WARRANT NO: 020 -----

COURT OF JURISDICTION.....: ALABAMA, MIDDLE DISTRICT  
 DOCKET NUMBER.....: 2:03-CR-0264-MHT  
 JUDGE.....: THOMPSON  
 DATE SENTENCED/PROBATION IMPOSED: 04-20-2004  
 DATE PROBATION REVOKED.....: 07-26-2006  
 TYPE OF PROBATION REVOKED.....: REG  
 DATE COMMITTED.....: 06-26-2007  
 HOW COMMITTED.....: PROBATION VIOL (US OR DC CD)  
 PROBATION IMPOSED.....: NO

	FELONY ASSESS	MISDMNR ASSESS	FINES	COSTS
NON-COMMITTED..:	\$100.00	\$00.00	\$00.00	\$00.00
RESTITUTION...:	PROPERTY: NO	SERVICES: NO	AMOUNT:	\$51,786.39

-----CURRENT OBLIGATION NO: 010 -----

OFFENSE CODE.....: 156  
 OFF/CHG: 18:2113(B): BANK THEFT  
 PROBATION VIOLATOR

SENTENCE PROCEDURE.....: 3559 PLRA SENTENCE  
 SENTENCE IMPOSED/TIME TO SERVE..: 24 MONTHS  
 TERM OF SUPERVISION.....: 3 YEARS  
 DATE OF OFFENSE.....: 05-11-1999

G0002 MORE PAGES TO FOLLOW . . .

Exhibit C

TALA1 \* PUBLIC INFORMATION \* 04-10-2008  
PAGE 003 OF 003 \* INMATE DATA \* 11:50:48  
AS OF 04-10-2008

REGNO...: 11338-002 NAME: KIRKLAND, TOBIE MELISSA

RESP OF: TAL / DESIGNATED, AT ASSIGNED FACIL  
PHONE...: 850-878-2173 FAX: 850-671-6105

-----CURRENT COMPUTATION NO: 020 -----

COMPUTATION 020 WAS LAST UPDATED ON 08-28-2007 AT DSC AUTOMATICALLY  
COMPUTATION CERTIFIED ON 08-28-2007 BY DESIG/SENTENCE COMPUTATION CTR

THE FOLLOWING JUDGMENTS, WARRANTS AND OBLIGATIONS ARE INCLUDED IN  
CURRENT COMPUTATION 020: 020 010

DATE COMPUTATION BEGAN.....: 05-21-2007  
TOTAL TERM IN EFFECT.....: 24 MONTHS  
TOTAL TERM IN EFFECT CONVERTED...: 2 YEARS  
EARLIEST DATE OF OFFENSE.....: 05-11-1999

JAIL CREDIT.....: FROM DATE THRU DATE  
12-04-2003 12-04-2003

TOTAL PRIOR CREDIT TIME.....: 1  
TOTAL INOPERATIVE TIME.....: 0  
TOTAL GCT EARNED AND PROJECTED...: 94  
TOTAL GCT EARNED.....: 0  
STATUTORY RELEASE DATE PROJECTED: 02-14-2009  
SIX MONTH /10% DATE.....: N/A  
EXPIRATION FULL TERM DATE.....: 05-19-2009

PROJECTED SATISFACTION DATE.....: 02-14-2009  
PROJECTED SATISFACTION METHOD....: GCT REL

G0000 TRANSACTION SUCCESSFULLY COMPLETED

Exhibit C